

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

PEGGY YOUNGER,

Plaintiff,

No. 1:11-CV-915 MCA/RHS

v.

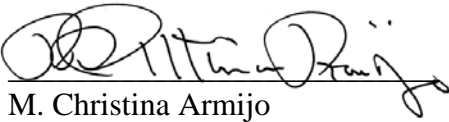
BNSF RAILWAY COMPANY,

Defendant.

FINAL ORDER OF DISMISSAL

THIS MATTER came before the Court on Defendant BNSF Railway Company's (BNSF) Motion for Order to Show Cause Why Plaintiff's Suit Should Not Be Dismissed for Lack of Prosecution (Doc. 25). On February 14, 2012, a hearing was held on BNSF's Motion to Show Cause and Plaintiff's Counsel's Motion for Withdrawal of Counsel. At the hearing, Plaintiff's Counsel reiterated that he had been unable to contact his client despite numerous efforts. On February 22, this Court issued its Order to Show Cause, in which it ordered Plaintiff to show cause in writing, by March 7, 2012, why the cause of action should not be dismissed (Doc. 30). Plaintiff has failed to respond to the Order to Show Cause by the March 7 deadline. For those reasons, the Court finds and concludes that Plaintiff's action should now be dismissed as a consequence of her failure to comply with her discovery obligations and her failure to prosecute the action.

IT IS THEREFORE HEREBY ORDERED, ADJUDGED and DECREED that this case should be and hereby is dismissed.


M. Christina Armijo
UNITED STATES DISTRICT JUDGE

Submitted by,

ATKINSON, THAL & BAKER, P.C.

/s/ John S. Thal

John S. Thal

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